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US EPA RECORDS CENTER REGION 5



470237

February 12, 2002

**VIA CERTIFIED MAIL,**  
**RETURN RECEIPT REQUESTED,**  
**AND VIA TELECOPIER**  
**((312) 886-0747)**

Mr. Tom Turner  
Associate Regional Counsel  
77 West Jackson Blvd.  
C-14J  
Chicago, Illinois 60604-3590

**Re:   Old American Zinc Site in Fairmont City, Illinois; Your February 7**  
**Transmittal of Draft CERCLA Administrative Order on Consent**

Dear Tom:

In response to your February 7 fax transmittal, I have now had the opportunity to review the draft administrative order on consent for removal actions relating to the above-referenced Old American Zinc site. In response to your question noted on the fax cover page, my client, XTRA Intermodal, Inc. ("XTRA"), does not believe it would be appropriate for it to become a signatory to this order. As in the past, however, XTRA will cooperate fully with EPA in all respects, including providing access to the site.

Looking ahead to any future studies or other activities that may be performed, XTRA continues to believe that the United States, which played such a dominant role in creating the contamination at the site, must be actively involved in such studies or other activities. Last year, I provided Mr. Jeff Clay, the EPA attorney previously assigned to this matter, with voluminous documentation regarding the activities of the United States in creating and contaminating this site. To date, I have received no substantive response from anyone at EPA, nor any commitment to bring the

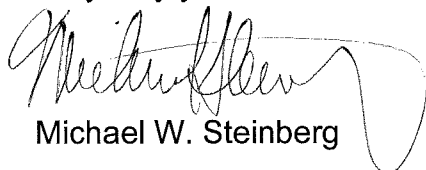
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federal PRP(s) into the process. I respectfully repeat my request that this be done at the earliest possible time.

I would be pleased to discuss any of these issues with you at your convenience.

Very truly yours,

  
Michael W. Steinberg